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Marlene H. Dortch
Secretary
Federal Communications Commission
236 Massachusetts Avenue NE
Suite 110
Washington, DC 20002

IN REGARDS TO MM DOCKET NO. 99-325, THE USE OF DIGITAL AM TRANSMISSIONS DURING NIGHTTIME HOURS

Buckley Broadcasting Corporation, licensee of AM radio stations WOR, New York City; WDRC, Hartford, CT; WMMW, Meriden, CT; WWCO, Waterbury, CT; WSNG, Torrington, CT; WSEN, Baldwinsville, NY; WFBL, Syracuse, NY; KNZR, Bakersfield, CA; and KIDD, Monterey, CA, respectfully submit our comments regarding the use of Digital AM transmissions during nighttime hours.

Buckley station WOR, New York City, has been operating with the iBiquity Digital In Band On Channel (IBOC-HD Radio) system since October of 2002. In that time, there have been many changes to the IBOC system, and we have learned much in regards to the many benefits IBOC brings to AM radio stations. WOR has also been hands-on with nighttime testing of AM IBOC, and can offer insight into the use of this system at night.

Buckley strongly urges the Commission to allow nighttime operation of IBOC transmission on AM stations at night.

It is the feeling of Buckley Broadcasting that we are operating our AM facilities in modern times, yet with regulations dating back almost 80 years when times and conditions were considerably different. The notion that an AM signal should be heard hundreds of miles from the transmitter is quaint, but is not practical in the year 2004. This was not only practical, but a necessity in the 1920's, 30's and 40's. There would be very few areas of the United States today where one of the following services is not available: over the air AM radio, over the air FM radio, over the air television, cable television, satellite television, satellite radio, or the Internet. Extreme distance AM listening is no longer of necessity today.

Buckley is cognizant of the fact that our stations are licensed to serve specific primary coverage areas. Under nighttime IBOC operation, these coverage areas would still be served without problems. While Buckley recognizes the fact that many of our stations, particularly WOR, have listeners beyond our licensed coverage area, we believe that the benefits of having an IBOC signal at night greatly outweigh the impact to our fringe listeners, as we are not licensed to serve those areas.

In nighttime tests conducted on WOR with iBiquity Digital, it was found that, in most cases, the analog WOR signal was impacted negatively by existing reception conditions before being adversely impacted by an adjacent IBOC signal. Electrical noise is much greater today than

when the present regulations were adopted, and the noise floor generated by sodium vapor street lights, computers, computerized traffic controllers, and the electrical power grid, to name a few, tends to make long distance listening to AM stations not practical for the average listener. Today's average radio listener does not have a tolerance for noisy signals and will tune out or turn off the radio rather than continue listening in the hopes they will hear the signal return.

Buckley believes that the improved audio quality offered by IBOC stations would help breathe new life back into the AM band in the United States. The vast majority of the AM band has been relegated to talk radio. IBOC could help bring music back to the AM band, and the improved quality would help bring listeners back to AM radio; listeners that long ago abandoned AM because of noisy reception, signal fading in obstructed areas, and the general poor quality and poor frequency response of the typical AM radio. This, in turn, would help to grow AM stations, as listenership to AM radio should increase.

Furthermore, IBOC brings the opportunity for an AM station to transmit data along with its programming. This data capacity could be utilized for additional service to the community of license. Additionally, this data capacity could be used as a source of non-traditional revenue for an AM station, thus stemming the tide of AM stations that are struggling to stay alive. To make this possible source of revenue practical, nighttime IBOC operation is essential. Nothing would kill the use of an IBOC station's data capacity faster than having to stop the data flow at sunset.

While some have expressed concern over EAS coverage if AM stations were allowed nighttime IBOC operation, one should remember that EAS was designed as a multi-entry system. No broadcast station should be relying on just one other station, particularly at a great distance, for EAS information. It may be possible to utilize the data capacity of an AM IBOC operation for EAS purposes, thereby enhancing existing EAS capabilities, and possibly allowing background communications amongst EAS entities without interrupting normal programming unnecessarily.

In closing, Buckley believes that the time has come in US broadcasting for a change in the regulations and the way AM radio is perceived. There would be no greater damage done to the AM band, and no better way to tell the consumer that AM radio is inferior, than to not allow nighttime IBOC operation. Buckley Broadcasting supports IBOC operation at night and the advantages it will bring to the AM band, and urges the Commission to allow nighttime IBOC operation.

Sincerely,

Thomas R. Ray, III, CPBE
Corporate Director of Engineering
Buckley Broadcasting Corporation
WOR Radio, New York City